

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

PATRICK L. SHERMAN  
ADC #96304

PLAINTIFF

V.

NO. 5:14cv00249-SWW-JTR

RAY HOBBS, Director,  
Arkansas Department of Correction, et al.

DEFENDANTS

**ORDER**

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge J. Thomas Ray and the filed objections. After carefully considering these documents and making a *de novo* review of the relevant record in this case, see 28 U.S.C. § 636(b)(1)(C), the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects. Judgment will be entered accordingly.

**IT IS THEREFORE ORDERED THAT:**

1. Mr. Sherman's Motion for Leave to Proceed *In Forma Pauperis*, *Doc. 1*, is DENIED.
2. Mr. Sherman's Complaint, *Doc. 2*, is DISMISSED, without prejudice, pursuant to the three strikes rule set forth in 28 U.S.C. § 1915(g).

3. Mr. Sherman is advised that, if he wishes to continue this action, he must, within thirty (30) days of the entry of this Order: (a) submit the statutory filing fee of \$400 in full, to the Clerk, noting the case style and number; and (b) file a motion to reopen the case.

4. The Clerk certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order and the accompanying Judgment would not be taken in good faith.

DATED this 10<sup>th</sup> day of September 2014.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE